

REMARKS

The Official Action objects to claims 11 and 32 with respect to formalities. Claims 11 and 32 have been amended to correct these issues. The Official Action rejects claims 1-33, 36-37, and 41-43 under 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. In this regard, the phrase "instance" has been replaced with the phrase "occurrence" and the rejected claim dependencies have been corrected to depend from claim 1, rather than canceled claim 38. As such, the amended claims distinctly point out and claim the subject matter which the Applicant regards as the invention and, consequently, the rejection under 35 U.S.C. § 112 is overcome.

The Official Action further rejects claims 1-7, 9, 15-22, 24-31, 36-37, and 41-43 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2002/0049620 to Uchida et al. (hereinafter "Uchida") in view of U.S. Patent No. 6,249,765 to Adler (hereinafter "Adler"). Claims 8, 23, and 10-14 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Uchida in view of Adler and in further view of U.S. Patent No. 6,430,359 to Yuen et al. (hereinafter "Yuen"). Claims 32 and 33 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Uchida in view of Adler and in further view of U.S. Patent Application Publication No. 2003/0020744 to Ellis et al. (hereinafter "Ellis").

In the rejection of each of independent claims 1, 10, 15, and 25 the Office Action cites at least the combination of Uchida and Adler; however the Applicant asserts that the combination of Uchida and Adler is incorrectly applied and the combination of the two does not result in the claimed invention.

As previously set forth, the method of independent claim 1 recites, *inter alia* "adding a user-generated event entry relating to a scheduled non-broadcast related event to the electronic calendar and directing visual association in the electronic calendar of a user identifier with the non-broadcast-related event added to the calendar" and "directing visual association in the electronic calendar of a user identifier with the at least one specific occurrence of a broadcast program of the plurality of specific occurrences of scheduled broadcast programs selected in the accessed electronic programming guide." Each of independent claims 10, 15, and 25 recite similar elements though each has its own scope.

The Office Action admits that Uchida does not explicitly disclose that a user identifier is visually associated with each event in the electronic calendar. Adler is cited to correct this deficiency; however Applicant asserts that this combination is improper and even if Uchida and Adler were combined, they would not arrive at the claimed invention.

Uchida discloses a reservation information setting apparatus configured to set recording reservations and viewing reservations of target broadcast programs as outlined in paragraphs [0094] and [0097] respectively. These viewing and recording reservations may be entered in to a calendar format. The method of Uchida is only contemplated with respect to a single "user" as recited throughout the disclosure. The disclosure of Uchida is further directed to a single television receiver for displaying a program on a single television display, either live, or from a recorded medium. Uchida further discloses a scheduling calendar allowing a user to enter scheduled personal events into a calendar as described in paragraph [0074] to provide the user a means for avoiding conflicts between personal events and recording or viewing reservations.

Adler discloses a method for retrieving information regarding a scheduled event from a voice analyzer or from a scanned image of an invitation or event reminder. The event may be added to a calendar with a notation of for whom the event is intended appended to the title of the event. Adler discloses the use of the calendar by multiple people and therefore may identify a scheduled event by the name of the individual for whom the event is for.

The Office Action asserts that it would have been obvious to modify Uchida with the teaching of Adler to arrive at the claimed invention. As noted above, the device and method of Uchida is only taught with respect to a single user referred to throughout the disclosure as "the user." Nowhere in the disclosure of Uchida is offered a suggestion or course of action that would be taken should more than one reservation be scheduled for the same time frame, or if two reservations overlapped. Uchida merely contemplates that a single reservation is occurring at any given time, thus negating a need to include a "user-identifier" with respect to the reservation. The method of Uchida does not enable multiple reservations for a single time frame nor overlapping reservations. Thus, modifying Uchida with the teachings of Adler as suggested by the Examiner would not be desirable nor would it arrive at the claimed invention.

If Uchida and Adler were to be combined, albeit improperly, the scheduling calendar of Uchida may include multiple users with multiple events occurring at overlapping times; however

this would still not read on the claimed invention as there would be no "user-identifier" with respect to the recording reservations or viewing reservations as multiple reservations could not occur simultaneously. Incorporating a "user-identifier" with the disclosure of Uchida does not improve the invention of Uchida as without conflicting recording reservations or viewing reservations (as Uchida does not indicate that there can be conflicts and does not address how conflicts could possibly be resolved), a user-identifier associated with the reservation is not advantageous. Further, Applicant believes that as the disclosure of the present application addresses conflicts and resolutions (see paragraphs [0016-0018] of the present application) and indicates a need for the functionality that is provided by a device according to the presently claimed invention. There is no motivation, teaching, or suggestion to combine Uchida and Adler as the Examiner has. Further, as noted above, the combination of Uchida and Adler does not arrive at the claimed invention. As such, since each of the dependent claims include the recitations of a respective independent claim, the cited references, taken either individually or in combination, also fail to teach or suggest each of the dependent claims for at least the same reasons described above. As such, rejections of the claims as being unpatentable under 35 U.S.C. § 103(a) are therefore overcome.

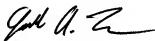
CONCLUSION

In view of the remarks and amendments presented above, it is respectfully submitted that the claims of the present application are in condition for allowance. It is respectfully requested that a Notice of Allowance be issued in due course. The Examiner is requested to contact Applicants' undersigned agent to resolve any remaining issues in order to expedite examination of the present application.

The patentability of the independent claims has been argued as set forth above and thus Applicant will not take this opportunity to argue the merits of the rejection with regard to specific dependent claims. However, Applicant does not concede that the dependent claims are not independently patentable and reserves the right to argue the patentability of dependent claims at a later date if necessary.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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